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PATENT

Customer Number: 22,832

Attorney Docket No. 7414.0022-01000

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
I. Lawrence GREENFIELD )  
)  
Application No.: 09/997,169 ) Group Art Unit: 1637  
)  
Filed: November 28, 2001 ) Examiner: J. Riley  
)  
For: COMPOSITIONS, METHODS, )  
AND KITS FOR ISOLATING )  
NUCLEIC ACIDS USING )  
SURFACTANTS AND )  
PROTEASES )

**BOX AFTER FINAL**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE**

**STATEMENT UNDER 37 C.F.R. § 1.97(d)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO 1449. This Supplemental Information Disclosure Statement is being filed after a Final Action and is accompanied by a fee of \$180.00 as specified under § 1.17(p) and a certification as specified under § 1.97(e).

Each document listed on the attached Form PTO 1449 was first cited in a communication in a counterpart Patent Cooperation Treaty application, and this Supplemental Information Disclosure Statement is being filed within three months of the

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

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mailing date printed on that communication. Copies of the listed documents are attached.

DE 199 37 607 A1 is not in English. "Where the information is not in the English language, but was cited in a search report or other action by a foreign patent office in a counterpart foreign application, the requirement for a concise explanation of relevance [under 37 C.F.R. § 1.98(a)(3)] can be satisfied by submitting an English-language version of the search report or action which indicates the degree of relevance found by the foreign office." (See MPEP §609 A(3), second paragraph.) Applicants enclose a copy of such a Search Report from a counterpart PCT application for this application.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP


1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 7, 2003

By:   
Robert W. Mann  
Reg. No. 48,555

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
[www.finnegan.com](http://www.finnegan.com)